

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

VINCENT ROSENBALM,

No. C 07-5571 SI (pr)

Plaintiff,

**ORDER OF DISMISSAL**

v.


PEOPLE OF THE UNITED STATES,

Defendant.

Plaintiff filed this action to appeal a decision of the California Supreme Court to deny his petition for review in People v. Rosenbalm on October 24, 2007. Federal district courts are courts of original jurisdiction and may not review the final determinations of a state court. See District of Columbia Court of Appeals v. Feldman, 460 U.S. 462, 482-86 (1983); Rooker v. Fidelity Trust Co., 263 U.S. 413, 415-16 (1923) (district courts may not exercise appellate jurisdiction over state courts). The Rooker-Feldman doctrine essentially bars federal district courts “from exercising subject matter jurisdiction over a suit that is a de facto appeal from a state court judgment.” Kougasian v. TMSL, Inc., 359 F.3d 1136, 1139 (9th Cir. 2004). Inasmuch as plaintiff clearly is trying to appeal the state court decision, this action must be dismissed for lack of subject matter jurisdiction. The clerk shall close the file.

IT IS SO ORDERED.

Dated: December 17, 2007

  
SUSAN ILLSTON  
United States District Judge